

**NOTIFICATION OF FORECLOSURE FORM FOR PROPERTIES
WITH UNDERGROUND STORAGE TANKS**



**Delaware Department of Natural Resources and Environmental Control
Division of Waste and Hazardous Substances
Tank Management Section
391 Lukens Drive
New Castle, DE 19720
Phone: (302) 395-2500 FAX: (302) 395-2555**

File Code 02G

Facility ID Number: _____

1. FACILITY INFORMATION

Name: _____
Street: _____
City: _____ Zip: _____
County: _____

2. CONTACT INFORMATION OF PERSON FORECLOSING

Name/Corporation: _____
Contact, if not named above: _____
Street: _____
City/State: _____ Zip: _____
Phone: _____
Email: _____

3. FORECLOSURE INFORMATION

Date of Filing of Complaint of Foreclosure: _____
Date of Notification to DNREC: _____

Section 7402 (15)c. of the Delaware Code provides, in part, that the term "Owner" does not mean any person who, without participating in the management of an underground storage tank system, and without otherwise being engaged in petroleum production, refining, or marketing, holds indicia of ownership in an underground storage tank system primarily to protect the person's security interest in it. Importantly, however, for any real property known by the person to contain an underground storage tank, or for any real property which contains a registered underground storage tank, in order for the person to be deemed a non-owner of the underground storage tank system, the person must fully complete and submit this form to the Department within thirty (30) days of the date the complaint for foreclosure was filed. This notification is required for **both** in-service and out-of-service underground storage tanks.

Finally, in addition to filing this notice with the Department, in order to be excluded from the term "Owner", within sixty (60) days after confirmation of foreclosure, the person must empty all known and registered underground storage tanks containing Regulated Substances located on the foreclosed real property. The underground storage tank system is empty when all Regulated Substances have been removed using commonly employed practices so that no more than one inch or 2.5 centimeters of residue, or 0.3 percent by weight of the total capacity of the underground storage tank system, remains in the system.

Signature of Person Providing Notice: _____ Date: _____